

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
JAY R. GILMORE,)
Defendant.)

4:11CR3000

MEMORANDUM AND ORDER

JAY R. GILMORE,

Defendant.

The defendant has moved to continue the trial currently set for August 1, 2011. (Filing No. 16.). As explained in the defendant's motion, a plea offer has been extended and further investigation is needed before parties determine if this case will be resolved by a guilty plea and a plea agreement. The government does not oppose the requested continuance. The court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (filing no. 16), is granted.
- 2) The trial of this case is set to commence before the Honorable Warren K. Urbom at 9 a.m. on October 11, 2011, or as soon thereafter as the case may be called, for a duration of four full days, in Courtroom 4, United States Courthouse, Lincoln, Nebraska. Jury selection will be completed prior to the commencement of trial.
- 3) A conference with counsel for the parties will be held before Judge Urbom in his chambers beginning at 8:30 a.m. on October 11, 2011.
- 4) Based upon the showing set forth in the defendant's motion and the representations of defendant's counsel, the Court further finds that the ends of justice will be served by continuing the trial date; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and October 11, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7)(A).

July 21, 2011

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge